

Via Facsimile

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rozhon et al.

Confirmation No.: 9130

Serial No.: 09/712,033

Art Unit: 1651

Filed: November 14, 2000

Examiner: Irene Marx

For: ENTERIC FORMULATIONS OF  
PROANTHOCYANIDIN POLYMER  
ANTIDIARRHEAL COMPOSITIONS

Attorney Docket No.: 11133-004-999

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESMail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated September 17, 2004 of the Primary Examiner finally rejecting claims 21-40, 75 and 76 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for one month(s):  
☐ was filed on  
☒ is submitted herewith.
2. ☒ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$500.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office by facsimile transmission on January 28, 2005 to facsimile telephone number 571-273-8300.


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NYJD: 1561628.1

Respectfully submitted,

Date: January 28, 2005

  
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